

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LAUTHA V. ANDERSON, SR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:17-CV-2659 AGF
)	
CHANTAY GODERT, et al.,)	
)	
Defendants.)	

**PLAINTIFF’S APPLICATION FOR
WRIT OF HABEAS CORPUS AD TESTIFICANDUM
FOR PLAINTIFF LAUTHA V. ANDERSON, SR.**

COMES NOW Plaintiff Lautha V. Anderson, Sr. (“Plaintiff”), by and through his attorney, James W. Schottel, Jr., and hereby respectfully requests this Honorable Court to grant his Application for Writ of Habeas Corpus ad Testificandum for Plaintiff Lautha V. Anderson, Sr. and states to this Honorable Court the following:

1. Plaintiff is currently being detained in the Missouri Department of Corrections at the Farmington Correctional Center, 1012 West Columbia, Farmington, MO 63640 and has been assigned DOC Id No. 512937.
2. Mr. Anderson is the plaintiff in this case and his testimony is necessary, material, competent and essential to the prosecution of his case, which is set for trial in this Court on November 16, 2020.
3. Additionally, this Honorable Court is setting a final pretrial conference the afternoon of November 9, 2020 to resolve the important legal issues remaining for trial. This Court has demanded Mr. Anderson’s presence at this final pretrial conference.

4. In order to secure the attendance of said prisoner it is necessary that a writ of habeas corpus ad testificandum be issued commanding said Warden to produce said prisoner on November 9, 2020 and November 16, 2020, in order that said prisoner may respond to and answer such questions as may be propounded to him during the course of the final pretrial conference and trial of said case and in order for said prisoner to prosecute this civil action.

5. A federal court may issue a Writ of Habeas Corpus Ad Testificandum to secure the attendance of an incarcerated witness pursuant to 28 U.S.C. § 2241(c)(5) and 28 U.S.C. § 1651(a).

6. Plaintiff attaches hereto a proposed writ of habeas corpus ad testificandum.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests this Honorable Court to grant his Application for Writ of Habeas Corpus ad Testificandum for Plaintiff Lautha V. Anderson, Sr. and for such other and further relief as this Court deems necessary and proper under the circumstances.

Respectfully submitted,

SCHOTTEL & ASSOCIATES, P.C.

BY: s/James W. Schottel, Jr.

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Attorney for Plaintiff
Lautha V. Anderson, Sr.

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2020, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

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s/James W. Schottel, Jr.